

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philip R. Andersen, et al.                      Art Unit : 1648  
Serial No. : 09/963,759                                      Examiner : Timothy M. Brown  
Filed : September 25, 2001  
Title : DIAGNOSTIC DEVICE USING GP40

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)**

Pursuant to 37 C.F.R. § 3.73(b), IDEXX CORPORATION, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the patent application referenced above. The assignment was recorded in the Patent and Trademark Office at Reel 5288, Frame 0034 on December 8, 1989 also certifies that it is the assignee of U.S. Patent No. 6,383,765.

The undersigned has reviewed all the documents in the chain of title of the above-referenced application and to the best of undersigned's knowledge and belief, title is in IDEXX CORPORATION.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee referenced above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of U.S. Patent No. 6,383,765, provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,383,765.

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 7, 2005  
Date of Deposit  
Linda M. White  
Signature

Linda M. White  
Typed or Printed Name of Person Signing Certificate

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Attorney's Docket No.: 00088-008004 / 0092-  
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The assignee referenced above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S. Patent No. 6,383,765 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,383,765.

This disclaimer runs with any patent granted on the above-referenced application and is binding upon the grantee, its successors or assigns.

Enclosed is a check in the amount of \$130 for the set fee for the patent terminal disclaimer. Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 00088-008004.

Respectfully submitted,

Date: 2/7/2005



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